

REMARKS

By this Amendment, Applicants have amended claims 26, 27, 30, 36, and 40. Claims 26-30 and 36-44 are currently pending in this application. Of these claims, claims 26 and 36 are independent.

Objection to the Information Disclosure Statement filed November 7, 2005

In the Office Action of May 4, 2006, the Examiner alleged that the Information Disclosure Statement filed on November 7, 2005, did not fully comply with 37 C.F.R. 1.98. The Examiner set a time period of one (1) month for Applicants to correct the alleged deficiencies in the above-mentioned Information Disclosure Statement. In response, Applicants submitted a Correction of Information Disclosure Statement on May 15, 2006, in order to expedite prosecution of this case. If, for any reason, the Information Disclosure Statement is still not in full compliance with the pertinent statutes and regulations, the Examiner is invited to call the undersigned at (202) 408-4140.

35 U.S.C. § 112 Rejection

In the Office Action, the Examiner also rejected claims 26-30 and 36-44 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Although Applicants do not necessarily agree with the Examiner's various characterizations and assertions in the Office Action, Applicants have nonetheless amended claims 26 and 36, in order to expedite prosecution of this case. Specifically, Applicants have removed the objected-to language and added recitations relating to

altering geometry of heart structure. These amendments are fully supported by the originally-filed specification.

Accordingly, Applicants respectfully request the reconsideration and withdrawal of the rejections of claims 26-30 and 36-44 under 35 U.S.C. § 112, first paragraph.

The Office Action contains characterizations of the claims and the related art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

In discussing the specification, claims, and drawings in this Amendment, it is to be understood that Applicants are in no way intending to limit the scope of the claims to an exemplary embodiment described in the specification or abstract and/or shown in the drawings. Rather, Applicants are entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

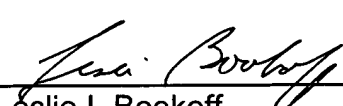
Please grant any extensions of time required to enter this Amendment and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 10, 2006

By: _____


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